



UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MIGUEL ANGEL NIETO-ROMERO,
aka "Flaco,"

Defendant.

2:20-CR-156-RFB-DJA

Preliminary Order of Forfeiture

This Court finds Miguel Angel Nieto-Romero, aka "Flaco," pled guilty to Count One of a One-Count Superseding Criminal Information charging him with conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§ 841(a)(1) and 846. Superseding Criminal Information, ECF No. 296; Change of Plea, ECF No. 299; Plea Agreement, ECF No. 298.

This Court finds Miguel Angel Nieto-Romero, aka "Flaco," agreed to the forfeiture of the property and the imposition of the in personam criminal forfeiture money judgments set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Information. Superseding Criminal Information, ECF No. 296; Change of Plea, ECF No. 299; Plea Agreement, ECF No. 298.

This Court finds, under Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Information and the offense to which Miguel Angel Nieto-Romero, aka "Flaco," pled guilty.

The following property and money judgments are (1) any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of 21 U.S.C. § 841(a)(1), a specified unlawful activity as defined in 18 U.S.C. §§ 1956(c)(7)(A) and

1 1961(1)(D), or 21 U.S.C. § 846, conspiracy to commit such offense, (2) any property
 2 constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of
 3 violations of 21 U.S.C. §§ 841(a)(1) and 846, (3) any property used, or intended to be used,
 4 in any manner or part, to commit, or to facilitate the commission of violations of 21 U.S.C.
 5 §§ 841(a)(1) and 846, (4) all moneys, negotiable instruments, securities, or other things of
 6 value furnished or intended to be furnished in exchange for a controlled substance or listed
 7 chemical in violation of 21 U.S.C. §§ 841(a)(1) and 846, all proceeds traceable to such an
 8 exchange, and all moneys, negotiable instruments, and securities used or intended to be
 9 used to facilitate any violation of 21 U.S.C. §§ 841(a)(1) and 846 and are subject to forfeiture
 10 under 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(a)(1); 21 U.S.C.
 11 § 853(a)(2); 21 U.S.C. § 853(p); and 21 U.S.C. § 881(a)(6) with 28 U.S.C. § 2461(c):

12 1. any and all property with the requisite nexus to violations of 21 U.S.C.

13 §§ 841(a)(1) and 846, pursuant to the forfeiture statutes in the Forfeiture

14 Allegation of the Superseding Criminal Information and Fed. R. Crim. P.

15 32.2(b)(2)(C)

16 (all of which constitutes property)

17 and an in personam criminal forfeiture money judgment of \$44,370 and an in
 18 personam criminal forfeiture money judgment including, but not limited to, at least an
 19 amount to be calculated pursuant to the forfeiture statutes in the Forfeiture Allegation of the
 20 Superseding Criminal Information and Fed. R. Crim. P. 32.2(b)(2)(C) and that the property
 21 will not be applied toward the payment of the money judgments.

22 This Court finds that on the government's motion, the Court may at any time enter
 23 an order of forfeiture or amend an existing order of forfeiture to include subsequently
 24 located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

25 This Court finds the United States of America is now entitled to, and should, reduce
 26 the aforementioned property to the possession of the United States of America.

27 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
 28 DECREED that the United States of America should seize the aforementioned property.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United
2 States of America recover from Miguel Angel Nieto-Romero, aka "Flaco," an in personam
3 criminal forfeiture money judgment of \$44,370 and an in personam criminal forfeiture
4 money judgment including, but not limited to, at least an amount to be calculated pursuant
5 to the forfeiture statutes in the Forfeiture Allegation of the Superseding Criminal
6 Information and Fed. R. Crim. P. 32.2(b)(2)(C) and that the property will not be applied
7 toward the payment of the money judgments.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
9 rights, ownership rights, and all rights, titles, and interests of Miguel Angel Nieto-Romero,
10 aka "Flaco," in the aforementioned property are forfeited and are vested in the United
11 States of America and shall be safely held by the United States of America until further
12 order of the Court.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
14 of America shall publish for at least thirty (30) consecutive days on the official internet
15 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
16 describe the forfeited property, state the times under the applicable statute when a petition
17 contesting the forfeiture must be filed, and state the name and contact information for the
18 government attorney to be served with the petition, under Fed. R. Crim. P. 32.2(b)(6).

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
20 or entity who claims an interest in the forfeited property must file a petition for a hearing to
21 adjudicate the validity of the petitioner's alleged interest in the property under 21 U.S.C.
22 § 853(n)(2), which petition shall be signed by the petitioner under penalty of perjury under
23 21 U.S.C § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the
24 petitioner's right, title, or interest in the property, the time and circumstances of the
25 petitioner's acquisition of the right, title, or interest in the property, any additional facts
26 supporting the petitioner's claim, and the relief sought.

27 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
28 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,

1 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
2 not sent, no later than sixty (60) days after the first day of the publication on the official
3 internet government forfeiture site, www.forfeiture.gov, whichever is earlier.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
5 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
6 Attorney's Office at the following address at the time of filing:

7 Daniel D. Hollingsworth
8 Assistant United States Attorney
9 Misty L. Dante
10 Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
12 described herein need not be published in the event a Declaration of Forfeiture is issued by
13 the appropriate agency following publication of notice of seizure and intent to
14 administratively forfeit the above-described property.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
16 copies of this Order to all counsel of record and three certified copies to the United States
17 Attorney's Office, Attention Asset Forfeiture Unit.

18 DATED 1/23/ 2023.

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22 RICHARD F. BOULWARE, II
23 UNITED STATES DISTRICT JUDGE
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